

REMARKS

Claims 1, 2, 7 and 9 were rejected under 35 U.S.C. §103(a) as being obvious over Goebel et al. (US 6,838,062) in view of Vartanian et al. (US 4,943,493). Claims 3-6 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goebel et al. (US 6,838,062) in view of Vartanian et al. (US 4,943,493) as applied to claim 1, and further in view of Chludzinski et al. (US 4,473,622). Claims 1 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hwang et al. (US 4,522,894) in view of Vartanian (US 4,943,493).

Claims 1 and 8 have been amended. Reconsideration of the application is respectfully requested

Rejections under 35 U.S.C. §103(a)

Claims 1, 2, 7 and 9 were rejected under 35 U.S.C. §103(a) as being obvious over Goebel et al. (US 6,838,062) in view of Vartanian et al. (US 4,943,493). Claims 3-6 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Goebel et al. (US 6,838,062) in view of Vartanian et al. (US 4,943,493) as applied to claim 1, and further in view of Chludzinski et al. (US 4,473,622). Claims 1 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hwang et al. (US 4,522,894) in view of Vartanian (US 4,943,493).

Goebel describes a fuel processor including a burner 12. See Abstract and Fig. 1. As noted by the Examiner (see Office Action at page 2, lines 18-19), Goebel fails to explicitly teach a temperature regulated start-up burner configured to meter air.

Vartanian describes a fuel cell power plant in which an air stream is controlled by a valve 36 to provide an oxidant stream 28 for burning in a burner 20. See col. 2, lines 23-33, and the Figure.

Hwang describes a fuel cell in which air is diverted via a line 22 to provide combustion air to a burner 24. See col. 17, lines 41-43, and Fig. 2. As noted by the Examiner (see Office Action at page 6, lines 7-8), Goebel fails to explicitly teach a temperature regulated start-up burner configured to meter air.

Chludzinski describes a methanol reactor system. See Abstract.

Independent claim 1 of the present application has been amended so as to recite that the start-up burner includes a burner unit and is configured to meter an air supply “to a mixing zone where air of the air supply is mixed with hot gas coming out of the burner unit so as to regulate a temperature of hot gas coming out of the start-up burner.” Support for the amendment may be found, for example, at paragraph [0037] of the present specification. Claim 8 has been amended for agreement with amended claim 1. It is respectfully submitted that no new matter has been added. It is respectfully submitted that none of the cited references teaches or suggests metering an air supply to a mixing zone where the air is mixed with hot gas coming out of the burner unit so as to regulate a temperature of hot gas coming out of the start-up burner, as recited in claim 1. As noted above and by the Examiner neither of Goebel or Hwang explicitly teaches a temperature regulated start-up burner configured to meter air. Nor does Chludzinski. Regarding Vartanian, this reference also does not teach the above-recited feature of claim 1. In contrast, Vartanian controls an air stream to provide an oxidant stream 28 for burning in a burner 20. See Vartanian, col. 2, lines 23-33, and the Figure. An air supply is not metered to a mixing zone where the air is mixed with hot gas coming out of the burner unit, as recited in claim 1. Because all of Goebel, Hwang, Chludzinski and Vartanian are missing at least the above-recited feature of independent claim 1, it is respectfully submitted that any combination of these references, to the extent proper, could not render claim 1 or any of its dependent claims obvious.

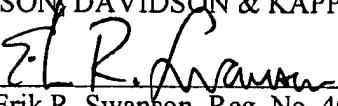
Withdrawal of the rejections under 35 U.S.C. §103(a) thus is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Erik R. Swanson, Reg. No. 40,833

DAVIDSON, DAVIDSON & KAPPEL, LLC
Patents, Trademarks and Copyrights
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940